

Docket No.  
**405507/0030**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Yuichi Nishihara**

Group Art Unit: **2861**

Application No.: **10/517,555**

Examiner: **Jannelle M. Lebrón**

Filed: **December 8, 2004**

For: **EXPENDABLE CONTAINER WITH FUNCTION OF MEASURING  
RESIDUAL QUANTITY OF EXPENDABLE**

Date: **May 21, 2007**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Information Disclosure Statement by Applicant form (PTO/SB/08A and/or B, PTO-1449, or equivalent).

The following checked sections apply to this Information Disclosure Statement:

- ☐ In accordance with 37 C.F.R. § 1.98(a)(2)(ii) as revised at 69 Fed. Reg. 56481 (September 21, 2004), copies of the cited U.S. patent application publication(s) and/or U.S. patent(s) have not been submitted.
- ☐ The cited reference(s) were called to Applicant'(s) attention in a counterpart foreign patent application. A copy of the official communication in that counterpart foreign patent application citing the reference(s) is submitted herewith, and the Examiner is respectfully directed thereto for a concise explanation of the relevance of the cited art.
- ☐ At least some of the cited references are not (or the cited reference is not) in English, and so English abstracts of those references (that reference) are provided, if available.
- ☐ At least some of the cited references are not (or the cited reference is not) in English, and so machine English translations of those references (that reference) are provided, where available.
- ☒ This Information Disclosure Statement is being filed (1) within three months of the filing date of a national application other than a continued prosecution application under Sec. 1.53(d), (2) within three months of the date of entry of the national stage as set forth in Sec. 1.491 in an international application, (3) before the mailing of a first Office action on the merits, or (4) before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. Accordingly, neither a fee nor Statement under 37 C.F.R. § 1.97(e) is due.

☐ This Information Disclosure Statement is being filed before the mailing date of any of a final action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application, and so is accompanied by one of:

(1) A Statement under 37 C.F.R. § 1.97(e), which follows; or

(2) The fee set forth in 37 C.F.R. § 1.17(p), authorization for which follows.

☐ This Information Disclosure Statement is being filed either (1) on or after the mailing date of a final action under 37 C.F.R. § 1.113, or (2) on or before payment of the issue fee, and is accompanied by:

(1) A Statement under 37 C.F.R. § 1.97(e), which follows; and

(2) The fee set forth in 37 C.F.R. § 1.17(p), authorization for which follows.

☐ Fee Under 37 C.F.R. § 1.17(p)

The Commissioner is authorized to charge the fee under 37 C.F.R. § 1.17(p) (\$180) to Deposit Account No. 19-4709.

☐ Statement Under 37 C.F.R. § 1.97(e)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in Sec. 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☒ Additional Comments

Applicant(s) have the following additional comments:

**The cited references were called to Applicant's attention in a Supplementary European Search Report in a counterpart European patent application.**

It is respectfully requested that the above information be considered by the Examiner and that an initialed copy of the accompanying Information Disclosure Statement by Applicant form (PTO/SB/08A and/or B, PTO-1449, or equivalent) be returned to the undersigned indicating that such information has been considered.

Other than any fees mentioned above, no fees are believed to be due in connection with this Information Disclosure Statement. Nevertheless, the Commissioner is authorized to charge any fees which are deemed to be now or hereafter due in connection with this paper to Deposit Account No. 19-4709.

Favorable consideration and prompt allowance of this application is respectfully requested. In the event that there are any questions, or should additional information be required, please contact Applicant'(s) attorney at the number listed below.

Respectfully submitted,

*/David L. Schaeffer/*

**David L. Schaeffer**

Reg. No. **32,716**

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FORM PTO 1449 ( <i>modified</i> )  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				ATTY DOCKET NO. <b>405507/0030</b>		APPLICATION NO. <b>10/517,555</b>	
				APPLICANT <b>Yuichi Nishihara</b>			
				FILING DATE <b>December 8, 2004</b>		GROUP <b>2861</b>	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
		<b>1 053 881 A1</b>	<b>11-22-2000</b>	<b>EP</b>			<b>Engl. orig.</b>
		<b>1 155 864 A1</b>	<b>11-21-2001</b>	<b>EP</b>			<b>Engl. orig.</b>
		<b>1 393 916 A2</b>	<b>03-03-2004</b>	<b>EP</b>			<b>Engl. orig.</b>
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.